

Assembly Bill No. 1248

CHAPTER 853

An act to add Section 7500.5 to the Government Code, relating to local public employees' retirement.

[Approved by Governor September 30, 2012. Filed with
Secretary of State September 30, 2012.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1248, Hueso. Local public employees' retirement: City of San Diego.

Existing law authorizes the creation of retirement systems for public employees by counties, cities, and districts. The California Constitution authorizes charter cities to establish pension plans under their independent constitutional authority.

This bill would require the City of San Diego to provide coverage under the federal social security system to all employees who are not covered under a defined benefit plan, except as specified.

This bill would make legislative findings and declarations as to the necessity of a special statute for the City of San Diego.

The people of the State of California do enact as follows:

SECTION 1. Section 7500.5 is added to the Government Code, to read: 7500.5. (a) This section shall only apply to the City of San Diego.

(b) For the purposes of this section, the following definitions shall apply:

(1) "Federal system" means the old age, survivors, disability, and health insurance provisions of the federal Social Security Act (42 U.S.C. Sec. 301 et seq.).

(2) "Local public employer" means the City of San Diego.

(c) A local public employer shall provide coverage under the federal system to all employees who are not covered under a defined benefit plan.

(d) The requirements of this section shall not apply with regard to replacing or changing an employer's defined contribution plan that was in place on July 1, 2012, unless the defined contribution plan will replace or change the employer's existing defined benefit plan.

SEC. 2. The Legislature finds and declares that a special law is necessary and that a general law cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances in the City of San Diego with respect to retirement benefits.